



U.S. Department of Justice

Federal Bureau of Investigation

Office of the Director

Washington, D.C. 20535-0001


March 9, 2015

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MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE ACTING DEPUTY ATTORNEY GENERAL

THROUGH: Lee J. Lofthus
Assistant Attorney General for Administration
Justice Management Division

FROM: James B. Comey 
Director, FBI

SUBJECT: Charter for the Criminal Justice Information Services (CJIS)
Advisory Policy Board (APB)

PURPOSE: To request the Attorney General sign the enclosed Charters for the
CJIS APB.

TIMETABLE: May 23, 2015

SYNOPSIS: The current charter for the CJIS APB expires May 23, 2015. The
FBI is seeking to reestablish the CJIS APB for another two years to
provide the FBI Director with advice and guidance on the operation of
the programs administered by the FBI on behalf of the United States'
criminal justice community. To date the CJIS APB has made 1,976
recommendations to the Director, with 1,862 of those
recommendations implemented and the remaining 114 in process.
The enclosed documents are necessary to reestablish the CJIS APB.

DISCUSSION: The FBI's CJIS Division programs include the Next Generation Identification, National Data Exchange, Law Enforcement Enterprise Portal, National Crime Information Center, National Instant Criminal Background Check System, Uniform Crime Reporting, and other systems determined by the FBI Director to have some relationship to the above programs. Operation of criminal justice information functions is delegated to the FBI Director by Title 28, Code of Federal Regulations, Section 0.85 and 20.1 et. seq.

For ease of review, the two changes to the proposed charter from the current charter, signed by the Attorney General on May 23, 2013, are as follows:

1. A reduction in estimated annual operating costs.
2. The addition of a representative to the APB from the National Crime Prevention and Privacy Compact Council (Council) established by the National Crime Prevention and Privacy Compact (Compact) Act of 1998. The Compact and its Council are established by Congress to authorize and require participating state criminal history repositories and the FBI to make all unsealed criminal history records available in response to authorized noncriminal justice requests. This representative will provide a needed perspective to the APB.

The proposed charter was reviewed and approved by FBI General Counsel James A. Baker on January 16, 2015. It was reviewed and approved by the General Services Administration's (GSA) Committee Management Secretariat, Ms. Virginia Wills, on January 23, 2015.

RECOMMENDATION: Justice Management Division is requested to coordinate the execution of the charter by the Attorney General and, thereafter, forward one copy of the proposed charter and statement of justification to the Committee Management Secretariat, GSA, and send the second copy to Mr. R. Scott Trent, FBI CJIS Division, 1000 Custer Hollow Road, Clarksburg, WV 26306.

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APPROVE: AG signed 05-07-15

Concurring Components:
None

DISAPPROVE: _____

Nonconcurring Components:
None

OTHER: _____

Attachments (3)

CHARTER
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
Criminal Justice Information Services Advisory Policy Board

1. Committee's Official Designation (Title): The Committee shall be known as the Criminal Justice Information Services (CJIS) Advisory Policy Board (hereafter referred to as the Board).
2. Authority: Establishment of the Board is authorized by 28 C.F.R. 20.35 and was initially approved by the Director of the Federal Bureau of Investigation (FBI) in March 1994. The Board was established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2.
3. Objectives and Scope of Activities: The Board will review and recommend general policy to the FBI on programs operated by the CJIS Division that reduce terrorist and criminal activities by maximizing the FBI's ability to provide timely and relevant criminal justice information to the criminal justice community. The Board's guidance will include the promotion of national security, by making recommendations that optimize the exchange of biographic and biometric information on known and suspected terrorists and the broadcast of National Alert System messages over the Law Enforcement Enterprise Portal (LEEP). The programs operated under the CJIS Division include the Next Generation Identification, National Data Exchange, LEEP, National Crime Information Center, National Instant Criminal Background Check System, Uniform Crime Reporting, and other systems and programs administered by the CJIS Division as determined by the FBI Director.

The Board will consider the operational needs of criminal justice agencies in light of public policy; national security; and local, state, tribal, and federal statutes. The Board will recommend security and privacy policy for the CJIS systems and standards for participation by criminal justice agencies.

4. Description of Duties: The Board will review and consider rules, regulations, and procedures for the operation of new and existing CJIS Division systems and programs. The duties of the Board are solely advisory in nature.
5. Agency or Official to Whom the Committee Reports: The Board will report to the Director of the FBI or the Director's designated appointee.
6. Support: The FBI will provide all necessary support services for the Board.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating costs of the Board, Working Groups, and Subcommittees are expected to be approximately \$918,424. These costs include 3.78 work years of FBI support services and the expenses of members to attend meetings.
8. Designated Federal Officer: A full-time FBI employee, appointed in accordance with agency procedures, will serve as the Designated Federal Officer (DFO). The DFO will approve or call all of the Board, Working Group, and Subcommittee meetings; prepare and approve all meeting agendas; attend all Board, Working Group, and Subcommittee

meetings; adjourn any meeting when the DFO determines adjournment to be in the public interest; and chair meetings when directed to do so by the Director of the FBI.

9. Estimated Number and Frequency of Meetings: The Board, Working Groups, and Subcommittees generally will meet twice each year at approximately six-month intervals.
10. Duration: The period of time necessary for the Board to carry out its purpose is indefinite.
11. Termination: The Board's termination date is two years from the date this Charter is filed with Congress and is subject to renewal in accordance with Section 14 of FACA.
12. Membership and Designation: The Board consists of approximately 35 members composed of representatives of state, local and tribal governments, federal government employees and Special Government Employees. The membership includes the chief executive or other policy-making level officials having responsibility for or being substantially engaged in, the management of CJIS Division systems, from local, county, state, federal, and tribal law enforcement agencies from across the country. In addition, there are executive-level representatives from national criminal justice associations, from the correctional, judicial, and prosecutorial sectors of the criminal justice community, from a national security agency, and tribal law enforcement. There is also a representative for the National Crime Prevention and Privacy Compact Council. Authority to appoint members of the Board is hereby delegated to the Director of the FBI.

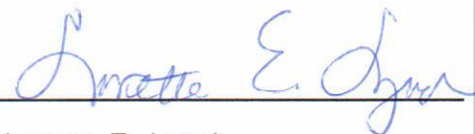
13. Subcommittees and Working Groups: The overall advisory process structure will include four regional Working Groups and one Federal Working Group, made up of local, county, state, federal, and tribal law enforcement agency representatives. These Working Groups will provide information and recommendations to the Board on technical and operational issues to assist the Board in carrying out its duties. The DFO, in consultation with the Board Chairman and with FBI approval, may also establish ad hoc committees to assist the Board in carrying out its duties. The Working Groups and ad hoc committees will report only to the Board and will not report directly to the Director of the FBI.

14. Recordkeeping: Records of the Board shall be handled in accordance with the National Archives and Records Administration, General Records Schedule 26, Item 2. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

15. Filing Date:

May 7, 2015

Date



Loretta E. Lynch

Attorney General